



Attorney Docket No. HOGAN-04448

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of: Kirk Hogan

Serial No.: 09/613,887

Filed: July 11, 2000

Entitled: **Methods and Compositions for Perioperative Genomic Profiling**

Group No.:

Examiner:

**INFORMATION DISCLOSURE
STATEMENT TRANSMITTAL**

Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Dated: October 11, 2000

By:

Mary Ellen Waite
Mary Ellen Waite

Sir or Madam:

Enclosed please find an Information Disclosure Statement and Form PTO-1449, including copies of the references contained thereon, for filing in the U.S. Patent and Trademark Office.

Applicant believes no fees are required but if the Commissioner deems otherwise the Commissioner is hereby authorized to charge any additional fee or credit overpayment to our Deposit Account No. 08-1290. **An originally executed duplicate of this transmittal is enclosed for this purpose.**

Dated: October 11, 2000

J. Mitchell Jones
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MEDLEN & CARROLL, LLP
220 Montgomery Street, Suite 2200
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415/705-8410

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kirk Hogan

Serial No.: 09/613,887

Filed: 07/11/00

Entitled:

Group No.: 1655

Examiner: J. Goldberg

**METHODS AND COMPOSITIONS FOR
PERIOPERATIVE GENOMIC PROFILING**



Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

CERTIFICATE OF MAILING UNDER 37 CFR § 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231, on **October 11, 2000**.

By:


Mary Ellen Waite

Madam:

The citations listed below, copies attached, may be material to the examination of the above-identified application, and are therefore submitted in compliance with the duty of disclosure defined in 37 C.F.R. §§ 1.56 and 1.97. The Examiner is requested to make these citations of official record in this application.

The following printed publications are referred to in the body of the specification:

- 4,683,195;
- 4,683,202;
- 4,965,188;
- 5,843,654;
- 5,843,669;
- 5,719,208;
- 5,888,780;
- 6,045,996;
- 5,925,525;

- 5,858,659;
- 6,017,696;
- 6,068,818;
- 6,051,380;
- 6,001,311;
- 5,985,551;
- 5,474,796;
- 5,846,717;
- 6,001,567;
- 5,985,557;
- 5,994,069;
- 5,538,848;
- 5,952,174;
- 5,919,626;
- 6,043,031;
- 5,777,324;
- 5,605,798;
- PCT Publication WO 99/67641;
- PCT Publication WO 00/39587;
- Pedersen, Dan Med Bull., 41:319 [1994]. We are unable to locate this reference but we are providing the Abstract. If the Examiner requests the entire reference it will be provided.
- Liang and Cullen, Anesthesiology, 91: 609 [1999];
- Wolff, New Eng. J. Med., 324:486-488 [1991];
- Mira, JAMA 282:561-568 [1999];
- Anderson and Young, Quantitative Filter Hybridization, in *Nucleic Acid Hybridization* [1985];
- Kacian *et al.*, Proc. Natl. Acad. Sci. USA, 69:3038 [1972];
- Chamberlin *et al.*, Nature, 228:227 [1970];
- Wu and Wallace, Genomics, 4:560 [1989];
- H.A. Erlich (ed.), *PCR Technology*, Stockton Press [1989];

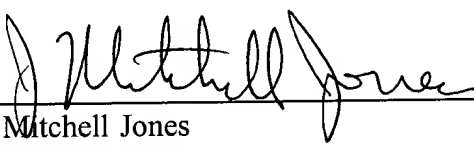
- Sambrook *et al.*, Molecular Cloning: A Laboratory Manual, Cold Spring Harbor Press, NY, pp 9.31-9.58 [1989];
- Graham and Van Der Eb, Virol., 52:456 [1973];
- La Du *et al.*, Cell. and Molec. Neurobiol., 11:79 [1991];
- Vladutiu *et al.*, Am J. Hum. Genet., 29:A5 [1998];
- Monnier *et al.*, Am. J. Hum. Genet., 60:1316 [1997];
- Priori *et al.*, Circulation, 99:518 [1999];
- Bick, Seminars in Thrombosis and Hemostasis, 25:251 [1999];
- Frosst *et al.*, Nature Genet., 10:111 [1995];
- Harmon *et al.*, Genet. Epidemiol., 17:298 [1999];
- Simoni *et al.*, New Eng. J. Med., 336:399 [1997];
- Yamamoto *et al.*, Nature, 345:229 [1990];
- Ausabel *et al.* (eds.), Current Protocols in Molecular Biology, John Wiley & Sons, NY [1991]. This reference is not being supplied at this time but if the Examiner requests the reference it will be submitted.;
- Kwiatkowski *et al.*, Molecular Diagnosis, 4:353 [1999]. This reference is not being supplied at this time but if the Examiner requests the reference it will be submitted.;
- R.D Miller, (ed.), *Anesthesia*, fifth edition, Churchill Livingstone, [2000], pgs. 824-883. This reference is not being submitted at this time but will be submitted at a later date.

Applicants have become aware of the following printed publications which may be material to the examination of this application:

- PCT Publication WO 99/64626;
- PCT Publication WO 99/64627;
- "Genostic Pharma Recieves Two Gene Profiling Patents," Genetic Engineering News, 20:61 [2000];
- Pembrook, "To Reduce Pre-Op Tests, Inform Surgeons of Theri Practices," Anesthesiology News, June, [1999];

- Vlessides, "Anesthesiologists at Increased Risk for Latex Sensitization," Anesthesiology News, December, [1999]. This reference is not being submitted at this time but will be submitted at a later date.;
- Pembroke, "Pre-Op Tests in ambulatory anesthesia must be patient driven," Anesthesiology News, June, [1999]. This reference is not being submitted at this time but will be submitted at a later date.;
- Pembroke, "Anesthesia Technique, Patients medical history often not related," Anesthesiology News, June, [1999];
- Pembroke, "Pre-Op consults often do not affect management or outcome," Anesthesiology News, June, [1999];
- Koitabashi *et al.*, "Identification of a Genetic Defect Responsible for the Polymorphism of Propofol Metabolism: Poor Metabolism of 2C19 in Two Patients," Anesth. Analg. Abstracts, 88:S1-424 [1999];
- Klaschik *et al.*, Crit Care Med., 27:A138 [1999]; and
- Risch, "Searching for Genetic Determinants in the New Millennium," Nature, 405:847 [2000].

Dated: October 11, 2000



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